

DAVID L. ANDERSON (CABN 149604)  
United States Attorney  
SARA WINSLOW (DCBN 457643)  
Chief, Civil Division  
DAVID M. DEVITO (CABN 243695)  
Assistant United States Attorney  
450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102-3495  
Telephone: (415) 436-7200  
Facsimile: (415) 436-6748

Attorneys for Defendant

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ECOLOGICAL RIGHTS FOUNDATION, a  
non-profit corporation,

Plaintiff,

v.

U.S. ENVIRONMENTAL PROTECTION  
AGENCY,

Defendant.

Civil Case No. 3:20-cv-6893-VC

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING CASE  
MANAGEMENT**

WHEREAS, Plaintiff Ecological Rights Foundation has brought this action under the Freedom of Information Act (FOIA) arising out a FOIA request that Plaintiff submitted to Defendant U.S. Environmental Protection Agency on October 29, 2019.

WHEREAS, on January 13, 2021, the Court conducted an Initial Case Management Conference, at which the Court directed the parties to submit a stipulation and proposed order adopting the schedule proposed by Defendant in the parties' Joint Case Management Statement (ECF No. 19).

NOW THEREFORE, Plaintiff and Defendant hereby stipulate, by and through their counsel of record, that the Court should enter the accompanying proposed order adopting the following schedule:

1. On or before January 20, 2021, Defendant shall, in writing, request any clarification it seeks to Plaintiff's FOIA request and shall, in writing, make any proposals related to resolution of the FOIA request it wishes to make to Plaintiff.
2. On January 27, 2021, Plaintiff shall, in writing, respond to Defendant's communication in paragraph 1 above.
3. On February 5, 2021, the parties shall complete the meet and confer process regarding supplemental search parameters.
4. On February 10, 2021, Defendant shall provide Plaintiff with an interim production of responsive records.
5. On February 12, 2021, Defendant shall provide Plaintiff with information indicating the volume of records resulting from the supplemental search, processing time estimates, and a proposed production schedule.
6. On February 19, 2021, Plaintiff shall respond to Defendant's proposed production schedule.
7. On February 24, 2021, the parties shall file a Joint Status Report.
8. On March 3, 2021, at 2:00 p.m., the Court shall conduct a Further Case Management Conference.

DATED: January 19, 2021

Respectfully submitted,

DAVID L. ANDERSON  
United States Attorney

/s/ David M. DeVito\*  
DAVID M. DEVITO  
Assistant United States Attorney

Attorneys for Defendant U.S.  
Environmental Protection Agency

DATED: January 19, 2021

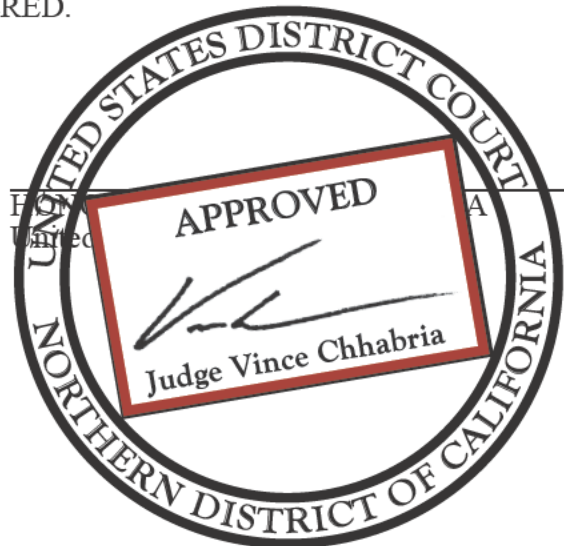
Respectfully submitted,

/s/ Stuart Wilcox  
STUART WILCOX  
Counsel for Ecological Rights  
Foundation

~~[PROPOSED]~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January 20, 2021



---

\* In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests under penalty of perjury that plaintiff has concurred in the filing of this document.